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storm water and urban runoff pollution control

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- STORM WATER AND URBAN RUNOFF POLLUTION CONTROL -

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[13.10.010](#) Findings.

A. The Congress of the United States (hereinafter “Congress”) has determined that pollutants contained in storm water and urban runoff are responsible for the environmental degradation of oceans, lakes, rivers, and other waters of the United States.

B. Congress, in 1987, amended the Clean Water Act of 1972 to reduce pollutants discharged into the waters of the United States by extending National Pollutant Discharge Elimination System (hereinafter “NPDES”) requirements to regulate storm water and urban runoff discharge into municipal storm drain systems.

C. Storm water and urban runoff flows from individual properties onto streets, then through storm drains to coastal waters along the city of Rancho Palos Verdes.

D. The city of Rancho Palos Verdes is a co-permittee under the “Waste Discharge Requirements for Municipal Storm Water and Urban Runoff Discharges within the County of Los Angeles,” issued by the California Regional Water Quality Control Board -- Los Angeles Region, which also serves as a NPDES permit under the Federal Clean Water Act and as a co-permittee, the city is required to implement procedures with respect to the entry of non-storm water discharges into the municipal storm water system.

E. In order to control, in a cost-effective manner, the quantity and quality of storm water and urban runoff to the maximum extent practicable, the adoption of reasonable regulations, as set forth herein, is essential. (Ord. 318 § 1 (part), 1996)

[13.10.020](#) Purpose.

The purpose of this chapter is to ensure the future health, safety and general welfare of the citizens of the city and the water quality of the Santa Monica Bay and surrounding coastal areas by:

- A. Reducing pollutants in storm water discharges to the maximum extent practicable;
 - B. Regulating illicit connections and illicit discharges and thereby reducing the level of contamination of storm water and urban runoff into the municipal storm water system; and
 - C. Regulating non-storm water discharges to the municipal storm water system.
- D. This chapter also sets forth requirements for the construction and operation of certain commercial development, new development and redevelopment and other projects (as further defined herein) which are intended to ensure compliance with the storm water mitigation measures prescribed in the current version of the Standard Urban Storm Water Mitigation Plan (SUSMP) approved by the Regional Water Quality Control Board--Los Angeles Region, and on file in the office of the city clerk. This chapter authorizes the authorized enforcement officer to define and adopt applicable best management practices and other storm water pollution control measures, to grant waivers from SUSMP requirements, as provided herein, to cite infractions and to impose fines pursuant to this chapter. Except as otherwise provided herein, the authorized enforcement officer shall

administer, implement and enforce the provisions of this section.

The intent of this chapter is to protect and enhance the quality of watercourses, water bodies, and wetlands within the city in a manner consistent with the federal Clean Water Act and the NPDES permit.

This chapter is also intended to provide the city with the legal authority necessary to control discharges to and from those portions of the municipal storm water system over which it has jurisdiction as required by the municipal NPDES permit. (Ord. 361 § 1, 2000; Ord. 318 § 1 (part), 1996)

13.10.030

Definitions.

Except as specifically provided herein, any term used in this chapter shall be defined as that term is defined in the current municipal NPDES permit, or as defined in the current version of the Standard Urban Storm Water Mitigation Plan (SUSMP) approved by the Regional Water Quality Control Board--Los Angeles Region, or if it is not specifically defined in either the Municipal NPDES Permit or the SUSMP, then as such term is defined in the Federal Clean Water Act, as amended, and/or the regulations promulgated thereunder. If the definition of any term contained in this chapter conflicts with the definition of the same term in the current version of the SUSMP, then the definition contained in this chapter shall govern. The following are definitions of terms used in this chapter:

A. "Area susceptible to runoff" means any surface directly exposed to precipitation or in the path of runoff caused by precipitation which path leads off the parcel on which the surface is located.

B. "Authorized enforcement officer" means the director of the department of public works on his or her designee.

C. "Automotive repair shop" means a facility that is categorized in any one of the following Standard Industrial Classification (SIC) codes: 5013, 5014, 5541, 7532-7534, or 7536-7539 (as amended).

D. "Best management practices (BMP's)" means activities, practices, facilities, and/or procedures that when implemented to their maximum efficiency will prevent or reduce pollutants in discharges and any program, technology, process, siting criteria, operational methods or measures, or engineered systems, which when implemented prevent, control, remove, or reduce pollution. Examples of BMP's may include public education and outreach, proper planning of development projects, proper cleaning of catch basin inlets, and proper sludge- or waste-handling and disposal, among others.

E. "City" means the city of Rancho Palos Verdes.

F. "Commercial development" means any development on private land that is not heavy industrial or residential. The category includes, but is not limited to: hospitals, laboratories and other medical facilities, educational institutions and facilities that require approval by the city, recreational facilities, plant nurseries, multi-apartment buildings, car wash facilities, mini-malls and other business complexes, shopping malls, hotels, office buildings, public warehouses and other light industrial complexes.

G. "Discretionary project" is defined in the same manner as Section 15357 of the Guidelines For Implementation Of The California Environmental Quality Act contained in Title 14 of the California Code of Regulations, as amended, and means a project which requires the exercise of judgment or deliberation when the city decides to approve or

disapprove a particular activity, as distinguished from situations where the city merely has to determine whether there has been conformity with applicable statutes, ordinances, or regulations.

H. "Director" means the director of public works of the city or the director's designee.

I. "Good housekeeping practices" means common practices related to the storage, use, or cleanup of materials, performed in a manner that minimizes the discharge of pollutants. Examples include, but are not limited to, purchasing only the quantity of materials to be used at a given time, use of alternative and less environmentally harmful products, cleaning up spills and leaks, and storing materials in a manner that will contain any leaks or spills.

J. "Greater than (>) nine-unit home subdivision" means any subdivision being developed for ten or more single-family or multi-family dwelling units.

K. "Hillside" means property located in an area with known erosive soil conditions, where the development contemplates grading on any natural slope that is twenty-five percent or greater.

L. "Illicit connection" means any man-made conveyance that is connected to the storm drain system without a permit, excluding gutters, roof-drains and other similar connections. Examples include channels, pipelines, conduits, inlets, or outlets that are connected directly to the storm drain system.

M. "Illicit discharge" means any discharge to the storm drain system that is prohibited under local, state or federal statutes, ordinances, codes or regulations. This includes all non-storm water discharges except discharges pursuant to a separate NPDES permit and discharges that are exempted or conditionally exempted in accordance with the municipal NPDES permit.

N. "Infiltration" means the downward entry of water into the surface of the soil.

O. "Material" means any substance including, but not limited to: garbage and debris; lawn clippings, leaves, and other vegetation; biological and fecal waste; sediment and sludge; oil and grease; gasoline; paints, solvents, cleaners, and any fluid or solid containing chemicals.

P. "Municipal NPDES permit" means the "Waste Discharge Requirements for Municipal Storm Water and Urban Runoff Discharges within the County of Los Angeles," issued by the California Regional Water Quality Control Board -- Los Angeles Region, and any successor permit to that permit.

Q. "Municipal storm water system" means streets, gutters, conduits, natural or artificial drains, channels and watercourses, or other facilities that are owned, operated, maintained or controlled by the city and used for the purpose of collecting, storing, transporting, or disposing of storm water.

R. "New development" means land disturbing activities that require the issuance of a grading permit pursuant to Section 17.76.040 of this Code; structural development, including the construction or installation of a building or structure or the creation of impervious surfaces; or land subdivision of greater than nine lots.

S. "Non-storm water discharge" means any discharge to a municipal storm water system that is not composed entirely of storm water.

T. "NPDES permit" means any waste discharge requirements issued by the California Regional Water Quality Control Board -- Los Angeles Region or the State Water Resources Control Board as an NPDES permit pursuant to Water Code Section 13370.

U. "One hundred thousand square foot commercial development" means any commercial development that creates at least one hundred thousand square feet of impermeable area, including parking areas.

V. "Parking lot" means land area or a facility for the temporary parking or storage of motor vehicles used personally, for business or for commerce with a lot size of five thousand square feet or more, or with twenty-five or more parking spaces.

W. "Pollutant" means those pollutants defined in Section 502(6) of the federal Clean Water Act (33 U.S.C. Section 1362(6)), or incorporated into California Water Code Section 13373. Examples of pollutants include, but are not limited to the following:

1. Commercial and industrial waste (such as fuels, solvents, detergents, plastic pellets, hazardous substances, fertilizers, pesticides, slag, ash, and sludge);
2. Metals such as cadmium, lead, zinc, copper, silver, nickel, chromium; and non-metals such as phosphorus and arsenic;
3. Petroleum hydrocarbons (such as fuels, lubricants, surfactants, waste oils, solvents, coolants and grease);
4. Excessive eroded soils, sediment and particulate materials in amounts which may adversely affect the beneficial use of the receiving waters, flora or fauna of the state;
5. Animal wastes (such as discharge from confinement facilities, kennels, pens, recreational facilities, stables, and show facilities);
6. Substances having characteristics such as pH less than six or greater than nine, or unusual coloration or turbidity, or excessive levels of fecal coliform, or fecal streptococcus, or enterococcus;

The term "pollutant" shall not include uncontaminated storm water, potable water or reclaimed water generated by a lawfully permitted water treatment facility.

The term "pollutant" also shall not include any substance identified in this definition, if through compliance with the best management practices available, the discharge of such substance has been reduced or eliminated to the maximum extent practicable. In an enforcement action, the burden shall be on the person who is the subject of such action to establish the reduction or elimination of the discharge to the maximum extent practicable through compliance with the best management practices available.

X. "Redevelopment" means, on an already developed site, the creation or addition of at least five thousand square feet of impervious surfaces, as such term is defined in the current version of the SUSMP approved by the regional board. Redevelopment includes, but is not limited to, the following activities that meet the minimum standards set forth in this definition: (1) the expansion of a building footprint or addition or replacement of a structure; (2) structural development, including an increase in gross floor area and/or exterior construction or remodeling; (3) replacement of impervious surface that is not part of a routine maintenance activity; and (4) land disturbing activities related to structural or impervious surfaces.

Y. "Regional board" means the California Regional Water Quality Control Board--Los Angeles Region.

Z. "Restaurant" means a stand-alone facility that sells prepared foods and drinks for consumption, including stationary lunch counters and refreshment stands selling prepared foods and drinks for immediate consumption. (SIC code 5812).

AA. "Retail gasoline outlet" means any facility engaged in selling gasoline and lubricating oils.

BB. "Source control BMP" means any schedule of activities, prohibition of practices, maintenance procedures, managerial practices or operational practices that aim to prevent storm water pollution by reducing the potential for contamination at the source of pollution.

CC. "Standard Urban Storm Water Mitigation Plan" or "SUSMP" means the current version of the Standard Urban Storm Water Mitigation Plan approved by the regional board, and on file in the office of the city clerk, and the NPDES permit models that have been approved by the executive officer of the regional board for implementation to control storm water pollution from a new development and redevelopment project specifically identified in Section 13.10.065(A).

DD. "Storm event" means a rainfall event that produces more than 0.1 inch of precipitation and that is separated from the previous storm event by at least seventy-two hours of dry weather.

EE. "Storm water runoff" means that part of precipitation (rainfall) which travels via flow across a surface to the storm drain system or receiving waters from impervious, semi-pervious or pervious surfaces. When all other factors are equal, runoff increases as the perviousness of a surface decreases.

FF. "Structural BMP" means any structural facility designed and constructed to mitigate the adverse impacts of storm water and urban runoff pollution (e.g. canopy, structural enclosure). Structural BMP's may include both treatment control BMP's and source control BMP's.

GG. "Treatment" means the application of engineered systems that use physical, chemical, or biological processes to remove pollutants. Such processes include, but are not limited to, filtration, gravity settling, media adsorption, biodegradation, biological uptake, chemical oxidation and UV radiation.

HH. "Treatment control BMP" means any engineered system designed to remove pollutants by simple gravity settling of particulate pollutants, filtration, biological uptake, media adsorption or any other physical, biological, or chemical process.

II. "Urban runoff" means surface water flow produced by non-storm water resulting from residential, commercial, and industrial activities involving the use of potable and non-potable water. (Ord. 361 §§ 2--4, 2000; Ord. 318 § 1 (part), 1996)

13.10.040 Prohibited activities.

A. Illicit Discharges and Connections. It is prohibited to establish, use, maintain, or continue illicit connections to the municipal storm water system, or to commence or continue any illicit discharges to the municipal storm water system. This prohibition against illicit connections is expressly retroactive and applies to connections made in the past but excludes improvements to real property permitted pursuant to Titles 15 -- 17 of this Code over which uncontaminated storm water runoff flows.

B. Littering. No person shall throw, deposit, place, leave, maintain, keep, or permit to be thrown, deposited, placed, left, or maintained or kept, any refuse, rubbish, garbage, or any other discarded or abandoned objects, articles or accumulations, in or upon any street, alley, sidewalk, storm drain, inlet, catch basin conduit or drainage structure, business place, or upon any or private plot of land in the city, so that the same might be or become a pollutant. This subsection shall not apply to refuse, rubbish or garbage deposited in containers, bags or other appropriate receptacles which are placed in

designated locations for regular solid waste pick up and disposal.

C. Disposal of Landscape Debris. No person shall intentionally dispose of leaves, dirt, or other landscape debris into the city's storm drain system.

D. Industrial Activities. No person shall conduct any industrial activity in the city without obtaining all permits required by state or federal law, including a NPDES general industrial activity storm water permit when required. Persons conducting industrial activities within the city shall refer to the most recent edition of the Industrial/Commercial Best Management Practices Handbook, produced and published by the Storm Water Quality Task Force, for specific guidance on selecting best management practices for reducing pollutants in storm water discharges from industrial activities.

E. Non-Storm Water Discharges.

1. The following non-storm water discharges into the municipal storm water system are prohibited unless in compliance with a separate NPDES permit or pursuant to a discharge exemption by the Regional Board, the regional board's executive officer, or the State Water Resources Control Board:

- a. The discharge of untreated wash waters when gas stations, auto repair garages, or similar facilities are cleaned;
- b. The discharge of untreated wastewater from mobile auto washing, steam cleaning, mobile carpet cleaning, and other such mobile commercial and industrial operations but excludes such operations which are neither industrial nor commercial in character;
- c. To the maximum extent practicable, discharges to the municipal storm water system from areas where repair of machinery and equipment, including motor vehicles, which are visibly leaking oil, fluid or antifreeze, is undertaken;
- d. Discharges of untreated runoff from areas where materials containing grease, oil, or other hazardous substances (e.g., motor vehicle parts) are stored, and discharges from uncovered receptacles containing hazardous materials;
- e. Commercial discharges of swimming pool filter backwash;
- f. Discharges of untreated runoff from the washing of toxic materials from paved or unpaved areas which result in a discharge to the municipal storm water system; provided, however, that non-industrial and non-commercial activities which incidentally generate urban runoff, such as the hosing of sidewalks, and the non-commercial hand-washing of cars, shall be excluded from this prohibition;
- g. To the maximum extent practicable, discharges to the municipal storm water system from washing impervious surfaces in industrial/commercial areas which results in a discharge of untreated runoff to the municipal storm water system, unless specifically required by state or the city's or Los Angeles County's health and safety codes or permitted under a separate NPDES permit;
- h. Discharges from the washing out of concrete trucks into the municipal storm water system;
- i. Discharges to the municipal storm water system of any pesticide, fungicide, or herbicide, banned by the USEPA or the California Department of Pesticide Regulation; and
- j. The disposal of hazardous wastes into trash containers which causes a direct or indirect discharge to the municipal storm water system.

2. Discharges from those activities specifically identified in, or pursuant to, Part 2,

Section II.C of the municipal NPDES permit as being exempted discharges, conditionally exempted discharges, or designated discharges shall not be considered a violation of this chapter, provided that any applicable BMP's developed pursuant to the municipal NPDES permit are implemented to minimize any adverse impacts from such identified sources.

F. Discharges in Violation of the Municipal NPDES Permit. Any discharge that would result in or contribute to a violation of the municipal NPDES permit, either separately or in combination with other discharges, is prohibited. Liability for any such discharge shall be the responsibility of the person(s) causing or responsible for the discharge, and such person(s) shall defend, indemnify and hold harmless the city from all losses, liabilities, claims, or causes of actions in any administrative or judicial action relating to such discharge. (Ord. 318 § 1 (part), 1996)

13.10.050 Requirements for existing properties--Good housekeeping provisions.

Owners and occupants of property within the city shall comply with the following requirements:

A. Septic Waste. No person shall leave, deposit, discharge, dump, or otherwise expose any chemical or septic waste to precipitation in an area where discharge to city streets or storm drains system may or does occur.

B. Use of Water. Runoff of water used for irrigation purposes shall be minimized to the maximum extent practicable. Runoff of water from the permitted washing down of paved areas shall be minimized to the maximum extent practicable. Sweeping and collection of debris is encouraged for trash disposal.

C. Storage of Materials, Machinery, and Equipment. Machinery or equipment that is to be repaired or maintained in areas susceptible to or exposed to storm water, shall be placed in a manner so that pollutants are not discharged to the municipal storm water system.

D. Removal and Disposal of Debris and Residue and Other Materials.

1. Non-residential motor vehicle parking lots with more than twenty-five parking spaces that generate runoff shall be swept regularly or other equally effective measures will be utilized to remove debris from such parking lots.

2. Food wastes generated by non-residential food service and food distribution sources shall be disposed of in a manner so such wastes are not discharged to the municipal storm water system.

3. Best management practices shall be used in areas exposed to storm water for the removal and lawful disposal of all fuels, chemicals, fuel and chemical wastes, animal wastes, garbage, batteries, or other materials which have potential adverse impacts on water quality. (Ord. 318 § 1 (part), 1996)

13.10.060 Requirements for industrial/commercial and construction activities.

Each industrial discharger, discharger associated with construction activity, or other discharger described in any general storm water permit addressing such discharges, as may be granted by the U.S. Environmental Protection Agency, the State Water Resources Control Board, or the Regional Board shall comply with all requirements of such permit. Each discharger identified in an individual NPDES permit shall comply with and undertake all activities required by such permit. Proof of compliance with any such

permit may be required in a form acceptable to the director of the department of public works, or the director's designated representative, prior to the issuance of any grading, building or occupancy permits, or any other type of permit or license issued by the city. (Ord. 318 § 1 (part), 1996)

13.10.065 Standard Urban Storm Water Mitigation Plan (SUSMP) requirements for new development and redevelopment projects.

A. Projects Requiring a SUSMP. The following discretionary new development or redevelopment projects shall require a storm water mitigation plan that complies with the most recent SUSMP:

1. Single-family hillside residences;
2. Commercial developments in excess of one hundred thousand square feet;
3. Automotive repair shops;
4. Retail gasoline outlets;
5. Restaurants;
6. Greater than nine-unit home subdivisions; and
7. Parking lots of five thousand square feet or more or with twenty-five or more parking spaces and potentially exposed to storm water runoff.

B. Incorporation of SUSMP into Project Plans. An applicant for a new development or a redevelopment project identified in subsection A of this section shall incorporate into the applicant's project plans a storm water mitigation plan which includes those best management practices necessary to control storm water pollution from construction activities and facility operations, as set forth in the SUSMP applicable to the applicant's project. Structural or treatment control BMP's set forth in project plans shall meet the design standards set forth in the SUSMP; provided, however, restaurants with a developed land area of less than five thousand square feet and retail gasoline outlets do not have to meet the structural or treatment control BMP design standards set forth in the SUSMP. If a project applicant has included or is required to include structural or treatment control BMP's in project plans, the applicant shall provide verification of maintenance provisions. The verification shall include the applicant's signed statement, as part of its project application, accepting responsibility for all structural and treatment control BMP maintenance until such time, if any, the property is transferred.

C. Issuance of Discretionary Permits. No discretionary permit may be issued for any new development or redevelopment project identified in subsection A of this section until the director confirms that either: (1) the project plans comply with the applicable SUSMP requirements, or (2) compliance with the applicable SUSMP requirements is impracticable for one or more of the reasons set forth in subsection E of this section regarding issuance of waivers. Where a redevelopment project results in an increase of less than fifty percent of the impervious surfaces of a previously existing development, and the existing development did not require a SUSMP at the time the last discretionary approval was granted by the city, the design standards set forth in the SUSMP will apply only to the addition, and not to the entire development.

D. Issuance of Certificates of Occupancy. As a condition for issuing a certificate of occupancy for a project subject to this chapter, the director shall require facility operators and/or owners to build all the storm water pollution control best management practices and structural or treatment control BMP's that are shown on the approved project plans

and to submit a signed certification statement stating that the site and all structural or treatment control BMP's will be maintained in compliance with the SUSMP and other applicable regulatory requirements.

E. Granting of Waiver. The director shall have the authority to grant a waiver to a development or redevelopment project from the requirements of the SUSMP, if impracticability for a specific property can be established by the project applicant. A waiver of impracticability may be granted by the director only when all structural or treatment control BMP's have been considered and rejected as infeasible. Recognized situations of impracticability are limited to the following, unless approved by the regional board:

1. Extreme limitations of space for treatment on a redevelopment project;
2. Unfavorable or unstable soil conditions at a site to attempt infiltration; or
3. Risk of ground water contamination because a known unconfined aquifer lies beneath the land surface or an existing or a potential underground source of drinking water is less than ten feet from the soil surface.

F. Transfer of Properties Subject to Requirement for Maintenance of Structural and Treatment Control BMP's.

1. The transfer or lease of a property subject to a requirement for maintenance of structural and treatment control BMP's shall include conditions requiring the transferee and its successors and assigns to either: (a) assume responsibility for maintenance of any existing structural or treatment control BMP, or (b) to replace an existing structural or treatment control BMP with new control measures or BMP's meeting the then current standards of the city and the SUSMP. Such requirement shall be included in any sale or lease agreement or deed for such property. The condition of transfer shall include a provision that the successor property owner or lessee conduct maintenance inspections of all structural or treatment control BMP's at least once a year and retain proof of inspection.

2. For residential properties where the structural or treatment control BMP's are located within a common area which will be maintained by a homeowner's association, language regarding the responsibility for maintenance shall be included in the project's conditions, covenants and restrictions (CC&R's). Printed educational materials will be required to accompany the first deed transfer to highlight the existence of the requirement and to provide information on what storm water management facilities are present, signs that maintenance is needed, and how the necessary maintenance can be performed. The transfer of this information shall also be required with any subsequent sale of the property.

3. If structural or treatment control BMP's are located within an area proposed for dedication to a public agency, they will be the responsibility of the developer until the dedication is accepted.

G. CEQA. Provisions of this section shall be complimentary to, and shall not replace, any applicable requirements for storm water mitigation required under the California Environmental Quality Act. (Ord. 361 § 5, 2000)

13.10.070

Enforcement.

A. Violations Deemed a Public Nuisance.

1. Any condition caused or permitted to exist in violation of:

- a. Any of the provisions of this chapter; or
- b. Any failure to comply with any applicable requirement of either the SUSMP or an approved storm water mitigation plan with respect to a property; or
- c. Any false certification or verification, or any failure to comply with a certification or verification provided by a project applicant or the applicant's successor in interest; or
- d. Any failure to properly operate and maintain any structural or treatment control BMP on a property in accordance with an approved storm water mitigation plan or the SUSMP, is determined to be a threat to the public health, safety and welfare, is declared and deemed a public nuisance, and may be abated or restored by any authorized enforcement officer, and a civil or criminal action to abate, enjoin or otherwise compel the cessation of such nuisance may be brought by the city attorney.

2. The cost of such abatement and restoration shall be borne by the owner of the property and the cost thereof shall be invoiced to the owner of the property, as provided by law or ordinance for the recovery of nuisance abatement costs.

3. If any violation of this chapter constitutes a seasonal and recurrent nuisance, the director of public works shall so declare. The failure of any person to take appropriate annual precautions to prevent stormwaste pollution after written notice of a determination under this paragraph shall constitute a public nuisance and a violation of this chapter.

B. Concealment. Causing, permitting, aiding, abetting, or concealing a violation of any provision of this chapter shall constitute a violation of such provision.

C. Civil Actions. In addition to any other remedies provided in this section, any violation of this section may be enforced by civil action brought by the city. In any such action, the city may seek, and the court shall grant, as appropriate, any or all of the following remedies:

1. A temporary and/or permanent injunction.

2. Assessment of the violator for the costs of any investigation, inspection, or monitoring survey which led to the establishment of the violation, and for the reasonable costs of preparing and bringing legal action under this subsection.

3. Costs incurred in removing, correcting, or terminating the adverse effects resulting from violation.

4. Compensatory damages for loss or destruction to water quality, wildlife, fish and aquatic life.

D. Administrative Enforcement Powers. In addition to the other enforcement powers and remedies established by this chapter, any authorized enforcement officer has the authority to utilize the following administrative remedies:

1. Cease and Desist Orders. When an authorized enforcement officer finds that a discharge has taken place or is likely to take place in violation of this chapter, the officer may issue an order to cease and desist such discharge, or practice, or operation likely to cause such discharge and direct that those persons not complying shall: (a) comply with the requirement, (b) comply with a time schedule for compliance, and (c) take appropriate remedial or preventive action to prevent the violation from recurring.

2. Notice to Clean. Whenever an authorized enforcement officer finds any oil, earth, debris, grass, weeds, dead trees, tin cans, rubbish, refuse, waste or any other material of any kind, in or upon the sidewalk abutting or adjoining any parcel of land, or upon any parcel of land or grounds, which may result in pollutants entering the municipal storm drain system or a non-storm water discharge to the storm drain system, he or she may

give notice to the owner or occupant of the adjacent property to remove such oil, earth, debris, grass, weeds, dead trees, tin cans, rubbish, refuse, waste or other material, in any manner that he or she may reasonably provide. The recipient of such notice shall undertake the activities as described in the notice.

E. Penalties. Violation of this section shall be punishable as provided in Section 1.08.010 of this Code. Each day that a violation continues shall constitute a separate offense.

F. Permit Revocation. To the extent the city makes a provision of this chapter or any identified BMP a condition of approval to the issuance of a permit or license, any person in violation of such condition is subject to the permit revocation procedures set forth in this Code.

G. Remedies. Remedies under this chapter are in addition to and do not supersede or limit any and all other remedies, civil or criminal. The remedies provided for herein shall be cumulative and not exclusive. (Ord. 361 § 6, 2000; Ord. 318 § 1 (part), 1996)